

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

HORACE BUSH, #138454,)	
)	
Petitioner,)	
)	
v.)	CASE NO. 2:06-cv-982-WKW
)	(WO)
STATE OF ALABAMA, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

After an independent and *de novo* review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

- (1) The objection filed by the petitioner on December 22, 2006 (Doc. # 14) is overruled;
- (2) The recommendation of the United States Magistrate Judge entered on December 13, 2006 (Doc. # 13) is adopted;
- (3) The petitioner's request for declaratory judgment and permanent injunction is DENIED;
and
- (4) The petitioner's claim for habeas corpus relief is DISMISSED without prejudice to afford the petitioner an opportunity to exhaust those state court remedies available to him.

An appropriate judgment shall be entered.

DONE this 16th day of January, 2007.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE